



CITY OF SNOHOMISH

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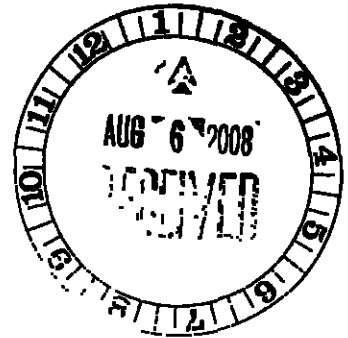
July 24, 2008

Hon Anne K Quinlan, Acting Secretary
Surface Transportation Board
395 E Street SW
Washington, D C 202423

ENTERED
Office of Proceedings

AUG 11 2008

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Public Record



Re STB Filing Docket No FD_35151_0, GNP Railway, Inc
Application for Modified Certificate of Public Convenience and Necessity

Dear Ms Quinlan

The City of Snohomish appreciates this opportunity to provide input on FD_35151_0, application for Modified Certificate of Public Convenience and Necessity. This filing seeks STB approval to operate passenger rail on a spur of abandoned rail corridor located in the City of Snohomish, Washington.

Whereas the City of Snohomish does support the concept of passenger rail in the local vicinity, we are concerned that the above-referenced application fails to sufficiently safeguard the public interest. As currently proposed, the City of Snohomish will have no ability to affect the operations along this spur. The City stands to be greatly harmed by this use and, therefore, the City requests that you deny this application at this time.

The following background information is provided for your consideration:

Mr. Payne proposes sixteen passenger trips daily, during rush hour, on a rail spur located within the city limits of Snohomish. There are eleven street crossings in 0.75 miles of track, including the town's two main east-west streets. Stopping traffic on these streets sixteen times a day, or more, will create significant traffic impacts.

No rails, signal arms or rail crossing signage remain in any of these street crossings. This has not been addressed in the filing.

The abandoned spur between Milepost 38.25 and 39 of the Woodinville Subdivision has been out of service for ten years. One portion, Parcel 28, was abandoned prior to 1998. During this time, millions of dollars in public and private development have occurred. New public facilities constructed along the route which would be negatively impacted by restoration of rail traffic include a library, senior center, youth center, children's play area, nonmotorized trail, and park land. Rail activity would occur within feet of the many new multifamily residents, causing severe noise and traffic impacts and significant potential for train/pedestrian incidents. Without

the ability for the city to affect rail traffic, both public safety and convenience will be compromised

The safety of the Snohomish River bridge has not been evaluated. The last engine crossing occurred in 1998. This evaluation should be completed prior to approval of the use of the bridge for rail traffic, especially passenger rail.

Use of the spur in question for rail use provides no apparent additional utility beyond what is already provided by the Woodinville Subdivision located south of City limits. The Woodinville Subdivision, located south of and connected directly to the BNSF Pacific Division, Scenic Subdivision, ("BNSF Main Line") is in active rail use, and existing development along it is compatible with increased rail traffic.

Following the June 2008 purchase and sale agreement between BNSF and the Port of Seattle for BNSF's Woodinville Subdivision between Snohomish and Renton, Washington, the City of Snohomish has established a local rail and trail advisory committee to evaluate the impacts of various options for rail service and advise the City Council. This committee has not yet had a chance to conduct this work.

The City is in final stage negotiations with BNSF to acquire the segment between Milepost 38.25 and 39.0 of the Woodinville Subdivision for public transportation purposes, most immediately for a nonmotorized trail with regional connections in at least three directions. There is no provision in the filing to accommodate this use.

Thank you for the opportunity to comment. If you have any questions, please do not hesitate to contact Ann Stanton, at (360) 568-3115, or via email at Stanton@c1.snohomish.wa.us

I certify that a copy of this comment was also faxed to BNSF's counsel BNSF Law (att. John A. Sims) at 817-352-2397.

Sincerely,

A handwritten signature in black ink, appearing to read 'Randy Hamlin', written in a cursive style.

Randy Hamlin, Mayor

CC John A. Sims, BNSF Counsel
Dave Somers, Chairman, Snohomish County Council
Snohomish City Council